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44. The kit of claim 37, wherein the labeled oligonucleotide probes are labeled with a non-radioactive isotope or a fluorescent dye.

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45. The kit of claim 37, wherein one of the oligonucleotide probes contains a modified or a universal base.

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46. The kit of claim 37, wherein the labeled oligonucleotide probes are labeled with  $^{35}\text{S}$ ,  $^{32}\text{P}$  or  $^{33}\text{P}$ .

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47. The kit of claim 37, wherein said ligating agent is a chemical ligating agent.

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48. The kit of claim 37, wherein the ligating agent is a DNA ligase enzyme.--

*original  
47-48 → Not cancelled  
11212 duplicate claims*

REMARKS

The present paper is a preliminary amendment filed in conjunction with the nationalization of a case that was originally filed in The United States as a contracting state in the PCT application. Applicants respectfully request that any claims in the international case be canceled and substituted with the above listed new claims, claims 1-48.

As the U.S. Patent and Trademark Office did not conduct the search or preliminary examination during the international phase, numbering of the present claims starting with number 1

is believed to be proper. However, if it is deemed necessary for the first newly added claim to be numbered as claim 47, applicants respectfully solicit the consideration of the Examiner in so numbering the claims and entering each of the above claims into the present case prior to a first examination on the merits.

All of the newly presented claims are fully supported by the specification and claims of the international application and do not in any way represent new subject matter.

Should the Examiner have any questions or comments regarding this amendment or the application in general, a telephone call to the undersigned applicant's representative is earnestly solicited.

Respectfully submitted,



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